

(17)

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

KIMBERLY A. FINFROCK,

Plaintiff,

v.

MICHAEL J. ASTRUE,

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

CIVIL ACTION

NO. 10-4126

FILED

FEB - 1 2012

MICHAEL E. KONZ, Clerk
By _____ Dep. Clerk

ORDER

AND NOW, this ¹17 day of *January*, 2012, upon consideration of Plaintiff's Brief and Statement of Issues in Support of Request for Review; (Dkt. No. 10) filed January 6, 2011; upon consideration of Defendant's Response to Request for Review of Plaintiff (Dkt. No. 13) filed March 9, 2011; upon consideration of Plaintiff's Reply Brief (Docket No. 14) filed March 28, 2011; and after review of the Report and Recommendation of United States Magistrate Judge Henry S. Perkin dated November 30, 2011, *and no objection having been filed* **IT IS ORDERED** that:

1. The Report and Recommendation is **APPROVED** and **ADOPTED**;

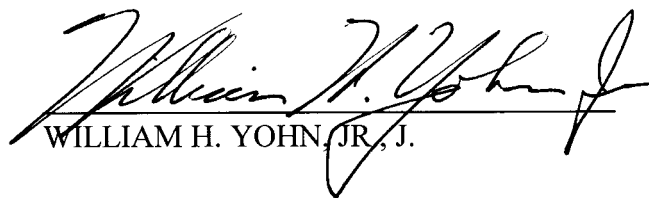
2. **JUDGMENT IS ENTERED REVERSING THE DECISION OF THE COMMISSIONER OF SOCIAL SECURITY** for the purposes of this remand only and the relief sought by Plaintiff is **GRANTED** to the extent that the matter is **REMANDED** to the Commissioner pursuant to the fourth sentence of 42 U.S.C. § 405(g) and in accordance with the Report and Recommendation;

3. In all other respects, Plaintiff's motion for summary judgment is **DENIED**;

and

4. The Clerk of Court shall **CLOSE** this matter statistically.

BY THE COURT:



WILLIAM H. YOHN, JR., J.